



California State Fire Marshal **CODE INTERPRETATION**

Date Issued	07-30-04	Interpretation #	04-010
Topic	Open Fire Pits		
Code Section(s)	§1109.8, CFC (2001) §3.25, Title 19, CCR		
Requested by	Marvyn Gordon 415 North Crescent Dr. #240 Beverly Hills, CA 90210-4862		

- 1. Are open fire pits that burn wood and natural gas considered to be open flame devices under Section 1109.8 of the California Fire Code and Section 3.25 of Title 19?***

Open fire pits are not considered to be open flame devices per Section 3.25 of Title 19, California Code of Regulations. Section 3.25 was not intended to pertain to decorative fireplaces or a device such as you describe. It was strictly intended to address open flame devices utilized inside a building. Therefore, this section is not applicable to exterior fireplaces or open fire pits.

The State Fire Marshal did not adopt Section 1109.8 of the California Fire Code. Therefore, we cannot give you a response relative to the applicability of the Fire Code. However, this section may be adopted by a local fire authority and in those situations, you must seek an interpretation from that jurisdiction. We also refer you to the Western Fire Chiefs Association as they are the publishers of that document.

- 2. Does Subsection 5 of CFC Section 1109.8.2, which requires that the flame in open flame devices to be enclosed, apply only to candles?***

Please see our response to Question #1. .

- 3. Must fire pits in places of assembly and drinking and dining establishments comply with Subsection 5 of CFC Section 1109.8.2 5?***

Again, please see our response to Question #1.